

ORDINANCE NO. 2019 - 29

AN ORDINANCE ESTABLISHING FUND NO. 655 - COMMUNITY INFRASTRUCTURE FEE FUND AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

WHEREAS, the City of Huron (“City”), through Huron Public Power (“HPP”), owns and operates a municipal electric utility system for the sale of electric power and associated energy for the benefit of its citizens and taxpayers pursuant to Article XVIII, Section 4 of the Ohio Constitution;

WHEREAS, the City has the authority under Article XVIII, Section 4 of the Ohio Constitution to contract for the supply of electric power and energy for the benefit of its citizens and taxpayers;

WHEREAS, in furtherance of the authority granted by Article XVIII, Section 4 of the Ohio Constitution, the City has established electric rates and terms and conditions for providing electric service to the customers of HPP;

WHEREAS, this Council passed Ordinance No. 2018-29 that modified HPP’s electric rates to reflect the terms of the Agreement for Electric Services between HPP and MIMI Farms, Incorporated d/b/a Mucci Farms in a new rate schedule called “General Service-Large-High Usage Customer;”

WHEREAS, Ordinance No. 2018-29 also established a “Large Customer Infrastructure Charge” in HPP’s electric rates schedule, which imposes a charge of \$0.018 cents per kWh of electricity used during peak usage season on general service customers that use or are projected to use at least 33,333,333 kWh per year and have entered into an electric services agreement with HPP;

WHEREAS, Ordinance No. 2018-29 authorized HPP to collect the Large Customer Infrastructure Charge as credit to City’s general fund to pay for infrastructure projects and development in the City in furtherance of attraction of new HPP customers and retention and/or expansion of existing HPP customers in the City;

WHEREAS, the City Manager has recommended that Council establish a fund to accommodate the revenue and expenses associated with the Large Customer Infrastructure Charge and which will allow the City to properly reconcile its financial operations.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That there is hereby established a “Community Infrastructure Fee Fund” to be numbered Fund No. 655. Revenue deposited into this fund will be generated from the Large Customer Infrastructure Charge established by Ordinance 2018-29 and used for expenses related capital infrastructure and building upgrades and economic and community development projects throughout the City.

SECTION 2. That all ordinances or parts thereof in effect at the time of passage of this ordinance that are in conflict with the foregoing provisions are hereby repealed to the extent of the conflict.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. 121.22.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and general welfare and for the further reasons that it is necessary to make immediate provision for the sound financial operation of the City and to allow the City to make immediate use of the revenues derived from the Large Customer Infrastructure Charge; **wherefore**, this Ordinance shall take effect and be in full force and effect immediately upon its adoption.



Sam Artino, Mayor

ATTEST: 
Clerk of Council

ADOPTED: 02 DEC 2019